

REMARKS

In an Office Action mailed on September 16, 2003, claims 1-3, 8-10 and 15-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura in view of Takakura; claims 4 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Tamura, Takakura and Kato; claims 5, 6, 12 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura, Takakura and Thadani; and claims 7 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura, Takakura and Sasaki. These rejections are addressed below.

Rejections of Claims 1-7:

The method of claim 1 includes using values in a look-up table to transform raw data into transformed data and modifying the values in the look-up table based on the computed white color balance and values.

Contrary to the limitations of claim 1, neither Takakura nor Tamura teaches or suggests modifying values in a look-up table based on computed white color balance and values. In this manner, the gain control circuits 11B and 11R of Tamura generate correction offsets in response to the signal received from the D/A converters 10B and 10R. However, Tamura neither teaches nor suggests that the values furnished by the gain control circuits 11B and 11R are based on values stored by the gain control circuits 11B and 11R. Therefore, for at least this reason, there is no suggestion or motivation in the art to modify the gain control circuits 11B and 11R so that the offsets generated by the circuits are in response to a value stored in a look-up table. Therefore, for at least the reason that the Examiner fails to show where the prior art teaches or suggests all claim limitations, a *prima facie* case of obviousness has not been established for independent claim 1.

The Examiner fails to establish a *prima facie* case of obviousness for independent claim 1 for at least the additional, independent reason that the Examiner fails to show where the prior art contains the alleged suggestion or motivation to combine Takakura and Tamura to derive the limitations of claim 1. In this manner, the Examiner must show, with specific citations to a prior

art reference, where the prior art contains the alleged suggestion or motivation. *See Ex parte Gambogi*, 62 USPQ2d 1209, 1212 (Bd. Pat. App. & Int. 2001); *In re Rijckaert*, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993); M.P.E.P. § 2143. In this case, the Examiner merely concludes a case of obviousness without showing where the prior art contains the alleged suggestion or motivation for the combination.

Thus, for the reasons set forth above, withdrawal of the § 103 rejection of claim 1 is requested. Claims 2-7 are patentable for at least the reasons that these claims depend from an allowable claim.

Rejections of Claims 8-15:

The imaging processing circuit of claim 8 includes a circuit to modify values in a look-up table based on a computed white color balance and values stored in the look-up table.

As discussed above in connection with claim 1, Tamura fails to teach or even suggest the modification of a stored value based on the stored value and a white color balance. Instead, the gain control circuits 11B and 11R calculate values based on a white balance indication and not based on a previously-stored correction value. Therefore, even assuming, *arguendo*, that the combination of Tamura and Takakura is proper, the combination of these references fails to teach or suggest all claim elements. Thus, for at least this reason, a *prima facie* case of obviousness has not been established for independent claim 8.

The Examiner fails to establish a *prima facie* case of obviousness for independent claim 8 for at least the additional, independent reason that the Examiner fails to show where the prior art contains the alleged suggestion or motivation to combine Tamura and Takakura.

Thus, for at least any one of these reasons, a *prima facie* case of obviousness has not been established for claim 8 and withdrawal of the § 103 rejection of this claim is requested. Claims 9-15 are patentable for at least the reason that these claims depend from an allowable claim.

Rejections of Claims 16-18:

The article of claim 16 includes a storage medium that is readable by a processor-based system. This storage medium stores instructions to cause a processor to modify values in a look-up table based on a computed white color balance and the values. As discussed above, the Examiner fails to establish a *prima facie* case of obviousness for independent claim 16 for at least the reason that the Examiner fails to show where the prior art contains the alleged suggestion or motivation to combine Tamura and Takakura. Furthermore, Tamura fails to teach or suggest modifying stored values based on the stored values. Thus, for at least this additional, independent reason that the combination of references fails to teach or suggest all claim limitations, a *prima facie* case of obviousness has not been established for independent claim 16.

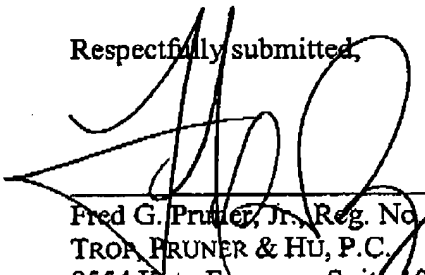
Claims 17 and 18 are patentable for at least the reason that these claims depend from an allowable claim.

CONCLUSION

In view of the foregoing, withdrawal of the § 103 rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0237US).

Respectfully submitted,

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